

EXHIBIT 8

22.52.1605 - Applicability.

- A. Applicability of this Part 15. The provisions of this Part 15 shall apply to the development of any small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system.
- B. Exemption. Subject to Subsection C below, the provisions of this Part 15 shall not apply:
 - 1. To any structure-mounted small-scale solar energy system or a small residential rooftop solar energy system as defined and regulated by Government Code Section 65850.5 and the Los Angeles County Building Code in the R-1 zone, when a building permit has been issued prior to the effective date of the ordinance amending this Part 15;
 - 2. To any ground-mounted small-scale solar energy system, structure-mounted utility-scale solar energy facility in the R-1 zone other than a small residential rooftop solar energy system as defined and regulated by Government Code Section 65850.5 and the Los Angeles County Building Code, temporary meteorological tower, or small-scale wind energy system when a site plan review approval, a minor conditional use permit, or a conditional use permit, as applicable, has been granted prior to the effective date of the ordinance amending this Part 15; or
 - 3. When preempted by regulation under the jurisdiction of the California Public Utilities Commission or preempted by other applicable law.
- C. Modification to Existing System or Facility. The provisions of this Part 15 shall apply when a modification to a lawfully existing, as of the effective date of the ordinance amending this Part 15, small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system, occurs as follows:
 - 1. Any modification that would substantially increase the physical size, height, or footprint of an existing small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system;
 - 2. Any modification that would substantially change the type of equipment used by an existing small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system except for replacement of equipment for maintenance purposes; or
 - 3. Any modification that would convert a small-scale solar energy system into a utility-scale solar energy facility.
 - 4. Also, any modification that would convert a small-scale wind energy system into a utility-scale wind energy system is prohibited.
- D.

Applicability of Zone and Supplemental District Regulations. All provisions of the zone and any supplemental district in which a small-scale solar energy system, utility-scale solar energy facility, temporary meteorological tower, or small-scale wind energy system is located shall apply as follows:

1. For a small-scale solar energy system, temporary meteorological tower, or small-scale wind energy system, where a provision of the zone or supplemental district regulates the same matter as this Part 15, the provision of this Part 15 shall apply;
2. For a utility-scale solar energy facility, where a provision of the zone or supplemental district regulates the same matter as this Part 15, the more restrictive provision shall apply, except for the height of wind towers, structure-mounted facilities, and perimeter fences, in which case, this Part 15 will control.

E. **Prohibition. The following shall be prohibited:**

1. **Ground-mounted utility-scale solar energy facilities within adopted Significant Ecological Areas designated in the General Plan and Economic Opportunity Areas designated in the Antelope Valley Area Plan;** and
2. Utility-scale wind energy facilities, including conversion of a small-scale wind energy system, into a utility-scale wind energy facility.

(Ord. 2016-0069 § 92, 2016.)